

ORDER OF THE STATE PERSONNEL BOARD

TERRY J. MILLER,

Complainant,

VS.

62.3

DEPARTMENT OF HIGHER EDUCATION, UNIVERSITY OF NORTHERN COLORADO,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on June 20, 2006. During this public session, the Board considered the record on appeal, including but not limited to:

- 1. Initial Decision of the Administrative Law Judge;
- 2. Complainant's Opening Brief;
- 3. Complainant's Amended Opening Brief;
- 4. Respondent's Answer Brief; and
- 5. Complainant's Reply to Respondent's Answer Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge are ADOPTED; and

IT IS FURTHER ORDERED that the Initial Decision of the Administrative Law Judge is adopted and made an Order of the Board.

Dated this ______
June, 2006.

John Zakhem, Board Chair

State Personnel Board

633 17th Street, Suite 1320 Denver, Colorado 80202-3604

NOTICE OF APPEAL

Each party has the following rights:

- 1. To abide by this decision of the State Personnel Board; or
- 2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S. (2005), as provided in Section 24-50-125.4(3), C.R.S. (2005).

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S., the party filing the appeal with the Court of Appeals must serve the State Personnel Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. In addition to serving the State Personnel Board with a copy of the Notice of Appeal, the party filing the appeal with the Court of Appeals must name the State Personnel Board as a party (appellee) to the appeal. Section 24-4-106(11)(d), C.R.S.

CERTIFICATE OF MAILING

This is to certify that on the _____day of June, 2006, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Nora V. Kelly, P.C. Nora V. Kelly, Esq. 1801 Broadway, Suite 1204 Denver, Colorado 80203

And via interoffice mail:

Eric W. Freund Assistant Attorney General Civil Litigation & Employment Law Section 1525 Sherman, 5th Floor Denver, Colorado 80203

Andréa C. Woods